

rejection can be overcome by a timely filed Terminal Disclaimer in compliance with 37 CFR § 1.321(c).

For overcoming this obviousness-type double patenting rejection, Applicants are submitting the enclosed Terminal Disclaimer, with respect to U.S. Patent No. 6,693,001. It is respectfully submitted that this Terminal Disclaimer is in compliance with 37 CFR § 1.321(c); and that in view of the present submission of this Terminal Disclaimer, the obviousness-type double patenting rejection is moot.

It is respectfully submitted that this Terminal Disclaimer is being presently submitted so as to achieve earliest possible issuance of a U.S. patent based upon the above-identified application. It is respectfully submitted that present filing of this Terminal Disclaimer does not constitute agreement with, or an admission as to the propriety of, the obviousness-type double patenting rejection; and does not constitute agreement with, or an admission as to the propriety of, arguments made by the Examiner in connection with the obviousness-type double patenting rejection.

In view of the foregoing, and particularly in view of the presently submitted Terminal Disclaimer, it is respectfully submitted that the obviousness-type double patenting rejection, the sole rejection of claims in the above-identified application, is clearly overcome. Accordingly, reconsideration and allowance of all claims presently in the application, and passing of the above-identified application to issue in due course, are respectfully requested.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Case No. 501.37436CV2), and please credit any excess fees to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP


William I. Solomon
Registration No. 28,565

1300 North Seventeenth Street
Suite 1800
Arlington, VA 22209
Tel.: 703-312-6600
Fax.: 703-312-6666
WIS/sjg